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November 24, 2003

Ms. Jeanine Stanek
Fremont Union High Schools Foundation
589 W. Fremont Avenue
Sunnyvale, CA 94087

Dear Ms. Stanek:

This letter is in follow up of our recent negotiations to renew the maintenance and operations Agreement for the Ropes Course at Baylands Park. As you know, the current Agreement will expire December 1, 2003. Please see attached Agreement dated December 1, 1998. Because our new Agreement will not be ready for signatures prior to that date, we need to ensure that liability, insurance and all other components of the current Agreement are extended and kept fully in force until the new Agreement is approved by all parties.

Therefore please have the Foundation President sign at the bottom of this letter to indicate agreement with the following.

All terms and provisions of the Agreement between the City of Sunnyvale and the Fremont Union High Schools Foundation for the Maintenance, Operation and Use of a Challenge Ropes Course at Sunnyvale Baylands Park dated December 1, 1998 (current Agreement), including indemnity provisions, shall remain in full force and effect until February 1, 2004 or signed approval of future Agreement that replaces current Agreement whichever occurs first.

Upon signature, please return in the enclosed envelope to ensure ability of the Foundation to use the Challenge Ropes Course throughout the above referenced time period.

Regards,

Mary K. Condit for Curtis Black

Curtis Black
Superintendent of Parks

Barbara Juhl
Ms. Barbara Juhl
President, FUSHD Foundation

c: Don Fox, FUSHD Director of Business & Property Services
City Attorney
Director of Parks and Recreation
Manager Risk & Insurance

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